



ILLINOIS HOUSE OF REPRESENTATIVES OFFICE OF THE CLERK

MARK MAHONEY
CLERK

MICHAEL J. MADIGAN
SPEAKER

BRAD BOLIN
ASSISTANT CLERK

MEMORANDUM _____ February 4, 2008

TO: All Interested Parties

FROM: Office of the Clerk, Illinois House of Representatives

SUBJECT: THE ILLINOIS FREEDOM OF INFORMATION ACT
(Public Act 83-1013)

Purpose and Scope of This Memorandum

This memorandum is posted pursuant to Sections 4, 5 and 6 of the Illinois Freedom of Information Act (5 ILCS 140). It describes the Illinois House of Representatives, its structure and organization, the location of the principal offices, its total operating budget and a report of the approximate number of full-time and part-time employees.

Also discussed is the method whereby the public may request information from the Illinois House of Representatives as well as a schedule of fees to be charged for copies of records available pursuant to the Freedom of Information Act.

The Illinois House of Representatives

Article 4, Section 1 of the Illinois Constitution provides:

“The legislative power is vested in a General Assembly consisting of a Senate and a House of Representatives.”

The principal activity of the House is enacting laws and acting on appropriation bills that comprise the State budget. The House also acts on amendments to the United States Constitution submitted by Congress. Further, the House has the power to propose amendments to the Illinois constitution for consideration by the voters. The members of the House of Representatives are elected from 118 districts for two-year terms.

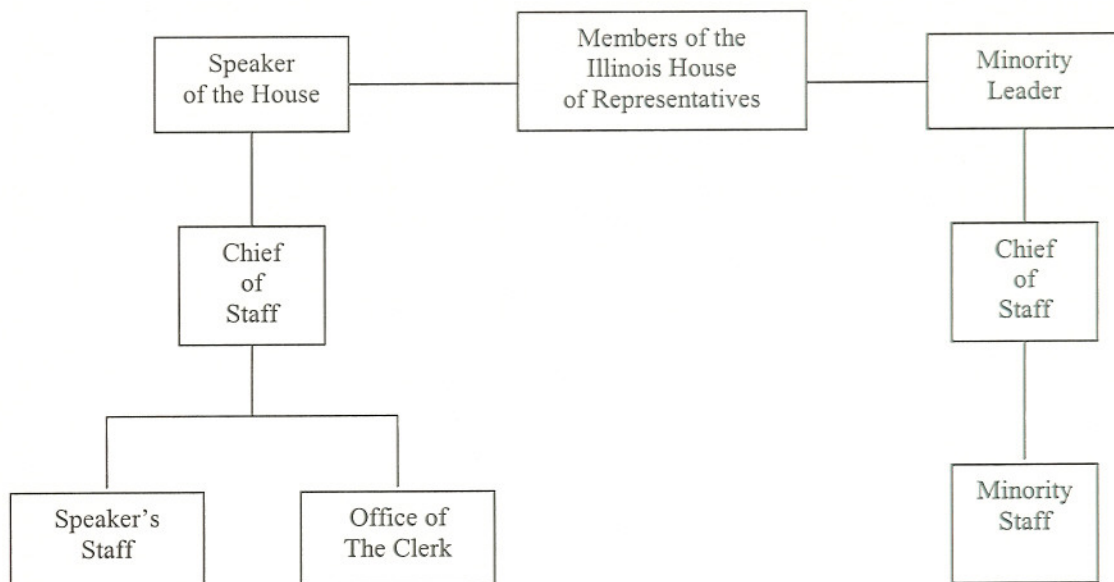
The House convenes each year on the second Wednesday in January. It typically adjourns at the end of May, and reconvenes during the fall months primarily to act on legislation vetoed by the Governor.

The Speaker of the House is the body's presiding officer. The Speaker is elected by a vote of a majority of the members elected to the House (60 votes). For purposes of Section 2(e) of the Freedom of Information Act, the Speaker is the "head of the public body."

The primary offices of the Illinois House of Representatives are located in the State Capitol Building in Springfield. The Speaker's Springfield Office is located at 300 State Capitol Building, Springfield, Illinois 62706. The Speaker maintains an office at the State of Illinois Building, 160 North LaSalle Street, N-600, Chicago, Illinois 60601. The Minority Leader's Springfield Office is located in Room 316, State Capitol. The Minority Leader also maintains an office at the James R. Thompson Building, 100 West Randolph Street, 16-700, Chicago, Illinois 60601.

Illinois House of Representatives

- Organizational Chart -



Operating Budget

The total operating budget of the Illinois House of Representatives for fiscal year 2008 is broken down as follows:

Appropriated to the House of Representatives

Speaker – Leadership.....	\$ 4,751,550.00
Minority Leader.....	\$ 4,751,550.00
Expenses of staff – Speaker	\$ 357,700.00

Expenses of staff – Minority Leader	\$ 162,200.00
House Operations.....	\$ 5,346,100.00
Printing.....	\$ 95,000.00
Standing House Committees.....	\$ 2,382,200.00
Recessed Travel.....	\$ 30,400.00
Redistricting – Speaker.....	\$ 441,600.00
Operations Revolving Fund.....	\$ 250,000.00
District Allowances.....	\$ 8,190,300.00
Joint Account for House and Senate.....	\$ 341,600.00

TOTAL

\$27,100,200.00

Appropriated to the Comptroller

House Salaries (118 Members at \$65,353.00 each) - \$ 7,842,400

Additional Amounts -

Speaker - - \$26,471.00
 Minority Leader - - \$26,471.00
 Majority Leader - - \$22,380.00
 2 Deputy Majority Leaders -
 @ \$19,067.00 each, total of \$38,134.00
 2 Deputy Minority Leaders -
 @ \$19,067.00 each, total of \$38,134.00
 6 Assistant Majority Leaders
 @ \$17,406.00 each, total of \$104,436.00
 6 Assistant Minority Leaders
 @ \$17,406.00 each, total of \$104,436.00
 Majority Conference Chairman - - \$17,406.00
 Minority Conference Chairman - - \$17,406.00
 Committees Chairman/Minority Spokesperson – (\$9,948.00 each) total of \$1,074,500.00

TOTAL

\$ 9,312,174.00

Per Diem Allowance \$ 800,000.00

Mileage Allowance \$ 450,000.00 (House & Senate)

TOTAL

\$1,250,000.00

Total of Amounts Appropriated to the House of Representatives \$ 27,100,200.00
And the Comptroller . . . \$ 10,562,174.00

TOTAL

\$37,662,374.00

Employees

The Illinois House of Representatives employs approximately 400 full-time and part-time employees. These figures include employees of both the Speaker and the House Minority Leader.

Procedures By Which Records May Be Obtained

The Office of the Clerk will maintain a public reading room or public reading area where non-exempt public records can be examined and copied following submission of a request for information filed pursuant to the procedure described below.

The following steps should be followed in requesting information, which is not customarily made available to the public (i.e., copies of bills):

A. Requests for Identifiable Records and Copies

1. How Made and Addressed. A request for a record of the Illinois House of Representatives that is not customarily made available (i.e., copies of bills) shall be made in writing with the envelope and the letter clearly marked "Information Request." All such requests shall be addressed to Clerk of the House, Room 402 State Capitol, Springfield, Illinois 62706. The Freedom of Information Act does not require a response to requests that are addressed to individual members of the General Assembly.
2. Description of Records Sought. A request for access to a record should reasonably describe that record by reference to the subject matter and the approximate date of issuance if known.
3. Information May Be Requested. Where the information supplied by the requester is not sufficient to permit location of the records by agency personnel with a reasonable amount of effort, the requester may be asked to supply additional necessary information that will enable the agency to locate the document. If necessary, the agency shall extend to the requester an opportunity to confer with agency personnel in order to attempt to reformulate the request in a manner that will meet the needs of the requester and the requirements of the agency. If the attempt to reformulate the request is not successful, the original request will be considered to be withdrawn. The original request will be considered officially to have been filed when the reformulated request is filed.

B. Processing Requests

1. Referral to Appropriate Division. The Clerk of the House shall make and retain a copy of each request and forward it to the unit having primary responsibility for the record requested. Within 7 working days of receipt of an identifiable request, the Clerk of the House shall determine whether the requested record is exempt from disclosure.

2. Extension of Time. In circumstances as specified in Section 3(d) of the Illinois Freedom of Information Act, the Clerk of the House may extend the time for initial determination on requests up to a total of 7 working days. A written notice to the requester that sets forth the reason for the extension and the date on which a determination is expected to be made will be sent by the Clerk of the House.
3. Delay Treated as Denial. If no determination has been made at the end of the working day period, or at the end of the 14th working day in the event that an extension of time under Section 3(d) is utilized, the requester may deem the request denied.

C. Response to Requests

1. Granted Request. The Clerk of the House shall notify the requester in writing as to where and when the records may be inspected and copied, if desired, and of any applicable fees.
2. Delayed Requests. When the Clerk of the House determines that circumstances exist that call for an extension of time pursuant to Section 3(d) of the Freedom of Information Act, he shall, within the 7-day period, notify the requester in writing and state the approximate date that either compliance or denial can be expected.
3. Denied Request. The Clerk of the House shall notify the requester in writing, in the manner provided in Section 9(a) and (b) of the Illinois Freedom of Information Act, when a record may not be inspected or copied.
4. Record Cannot be Located. If a requested record cannot be located from the information supplied or is known to have been destroyed or otherwise disposed of or does not exist, the requester shall be so notified by the Clerk of the House. (See A. 3)

D. Agency Review of Denials

1. Appeal to Head of Public Body. When a request is denied in whole or in part by the agency, the requester may appeal the denial to the Speaker of the House.
2. Appeal in Writing. An appeal to the Speaker shall be in writing and shall include a statement of the circumstances, reasons or arguments advanced in support of disclosure, and a copy of any written denial issued by the agency. The envelope and appeal letter should be clearly marked "Freedom of Information Appeal." The appeal must be filed within a reasonable period of time.
3. Written Determination. A written determination with respect to the appeal shall be made within 7 working days of the filing of the appeal. If the records, or any segregated part thereof, are found to be improperly withheld, the Speaker shall direct the Clerk of the House to make them available.

4. Denial of Appeal. A denial in whole or in part shall be sent to the requester in writing, in the manner provided in Section 10(a) of the Illinois Freedom of Information Act. The denial shall inform the requester of the right of judicial review of the denial.

E. Fee Schedule of Copies of Records

1. When Charged. The Illinois House of Representatives shall charge fees according to the schedule in paragraph 2 of this section to reimburse its actual cost for reproducing and certifying public records and for the use, by any person, of the equipment of the public body to copy records. Fees shall not be charged, however, when the request is for a copy of legislation. Further, fees shall not be charged or may be reduced if the Clerk of the House determines that waiver or reduction of the fee is in the public interest because furnishing information can be considered as primarily benefiting the general public. Such a determination shall ordinarily not be made unless the service to be performed will be of benefit primarily to the public as opposed to the requester, or unless the requester is an indigent individual.
2. Copies. For copies of documents (maximum of 2 copies will be supplied) \$0.10 per copy of each page.
3. Tape Recordings and Other Audio Records. Material charges are \$5.00 per item.
4. Notice of Anticipated Fees in Excess of \$25.00. Where it is anticipated that fees chargeable under this section will amount to more than \$25.00, and the requester has not indicated in advance his or her willingness to pay fees as high as are anticipated, the requester shall be notified of the amount of the anticipated fee or such portion thereof that can readily be estimated. In such cases, a request will not be deemed to have been received until the requester is notified of the anticipated cost and agrees to bear it. The notification shall offer the requester the opportunity to confer with agency personnel with the object of reformulating the request so as to meet his or her needs at a lower cost.
5. Form of Payment. Payment should be made by check or money order payable to the General Assembly Operations Revolving Fund.
6. Advance Deposit. Where the anticipated fee chargeable under this section exceeds \$25.00, an advance deposit of 25% of the anticipated fee or \$25.00, whichever is greater, may be required before the material will be reproduced. If a requester previously failed to pay a fee under this section, an advance deposit of the full amount of the anticipated fee may be required.

REQUEST TO EXAMINE SPECIFIC
LEGISLATIVE RECORDS

TO: **Illinois House of Representatives**
 Springfield, Illinois 62706

I _____ do hereby request that
the file on _____ for the period
of _____ be made available for my
examination. The reason for such examination being _____

Examiner (Please Print)

Date

Signature of Examiner

Organization

Address

Area Code/Telephone Number

City

Zip Code

A duplicate copy may be forwarded to any individual whose file has been examined.